

## **Remarks**

Claims 1 – 9, 11 – 20, and 22 – 24 are pending. Claims 1 – 9, 11 – 20, and 22 – 24 presently stand rejected. By this amendment, claims 1, 8, and 20 have been amended; and claim 7 has been cancelled. Examination and reconsideration of the claims in view of the following remarks are respectfully requested.

## **35 U.S.C. §103 Rejections**

Claims 1 – 9, 11 – 20, and 22 – 24 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent No. 6,715,850 (“Diaz”) in view of U.S. Patent No. 5,701,231 (“Do”), U.S. Publication No. 2006/0003845 (“Hessie”), and U.S. Publication No. 2004/0087374 (“Cole”).

Applicants respectfully disagree with the Examiner’s characterization of the teachings of Diaz, Do, Hessie, and Cole. Nonetheless, Applicants have amended claims 1, 8, and 20, and cancelled claim 7 in hope to advance the prosecution of the application.

Amended independent claim 1 is directed to “[a] gaming machine” that includes, among other things, “first and second members,” wherein “said game control board fixedly positioned on said first member, ... said first member being completely detachable from said second member,” and “a lid ... engaging said first member thereby preventing said first member from being displaced with respect to said second member.”

Amended independent claim 20 is directed to “[a] gaming machine” that includes, among other things, “an enclosure positioned in the game machine and enclosing the game control board.” The enclosure includes, among other things, “displaceable and side members ..., said displaceable member being completely detachable from said side members,” and “a lid ... engaging said displaceable member thereby preventing said displaceable member from being displaced with respect to said side members.”

Diaz does not teach or suggest all elements of claim 1 or claim 20.

Rather, with respect to FIG. 4 and FIG. 6, Diaz discloses a computer 10 having a housing 12 that has side wall 28 which includes a vertically extending flange portion 41 from wall 28. (Col. 4, lines 31 – 42.) With respect to FIG. 7, the computer 10 has a bay 300 allowing access to a motherboard 350 housed inside the housing 12. The opening 300 is removably covered by a door 312. (Col. 6, lines 55 – 59.) That is, the door 312 provides an access to the motherboard 350 inside the housing 12. **The motherboard 350 is not fixedly positioned on the door 312.** Instead, the motherboard 350 is mounted on the interior wall surface 353 of housing lateral side wall 26. (Col. 7, lines 19 – 22.) As such, Diaz does not teach or suggest, among other things, “a box-shaped structure” having “first and second members,” wherein “said game control board fixedly positioned on said first member, ... said first member being completely detachable from said second member,” as recited in claim 1, or “[a] gaming machine” that includes, among other things, “an enclosure positioned in the game machine and enclosing the game control board” that includes “displaceable and side members ..., said displaceable member being completely detachable from said side members,” as recited in claim 20.

Not only does Diaz fail to disclose the claimed elements of claims 1 and 20 as described, Diaz also fails to disclose “a lid ... engaging said first member thereby preventing said first member from being displaced with respect to said second member,” as recited in claim 1, and “a lid ... engaging said displaceable member thereby preventing said displaceable member from being displaced with respect to said side members,” as recited in claim 20.

Rather, Diaz discloses that the side panel door 312 engages only with the rear top and front sides of the housing 350, but not the motherboard 350. For example, Diaz discloses that

[the] side panel door 312 flange portions 106, 146, 41 overlap the adjacent portion of the rear top and front sides of the housing when the door is shut. These door flange portions co-act with flange portions 318, 320, 322, 324, 326, positioned about the periphery 328 of the access opening 310. More specifically, **the flange portions 318, 320, 322, 324, 326** are biased to the position shown in FIG. 7 and **are urged elastically inwardly by the flange portions on the side panel door 312 as the door is closed.** Thus, the housing and door flange portions have surfaces which abut when the door is closed and those abutting surfaces are urged together by the elastic restorative forces of both sets of flanges. As a result, there is substantial sliding friction between these abutting

surfaces which tends to retain the door in a closed position once it has been closed. **To further prevent the door from opening a screw 334, FIG. 4 may be received in a hole 330 in door top flange 146 and thread bore 332 in housing top flange 320.**

See col. 6, line 60 – col. 7, line 14, emphasis added.

As such, claims 1 and 20 are patentable in view of Diaz.

Accordingly, dependent claims 2 – 6, 8, 9, 11 – 19, 23, and 24 are also patentable in view of Diaz for at least the reasons set forth above with respect to claim 1, and dependent claim 22 is also allowable for at least the reasons set forth above with respect to claim 20.

Do does not cure the deficiencies of Diaz.

Rather, Do discloses an enclosure 11 for a personal computer. The enclosure 11 includes two portions – a bottom portion 13 on which a motherboard is installed, and a top portion 15. The two portions 13, 15 are connected with hinges 21a and 21b.

Do fails to suggest, teach, or disclose “game control board fixedly positioned on said first member, ... said first member being completely detachable from said second member,” and “a lid ... engaging said first member thereby preventing said first member from being displaced with respect to said second member,” as recited in claim 1, and “[a] gaming machine” that includes, among other things, “an enclosure” that includes “displaceable and side members ..., said displaceable member being completely detachable from said side members,” and “a lid ... engaging said displaceable member thereby preventing said displaceable member from being displaced with respect to said side members,” as recited in claim 20.

Therefore, Diaz and Do, in combination, do not teach or suggest all elements of claim 1. Claim is thus allowable for at least the reason set forth above. Dependent claims 2 – 6, 8, 9, 11 – 19, 23, and 24 are also patentable in view of Diaz for at least the reasons set forth above with respect to claim 1, and claim 22 is also allowable for at least the reasons set forth above with respect to claim 20.

Neither Cole nor Hessie cures the deficiencies of Diaz and Do.

As indicated on page 3 of the Action, “Cole is silent on the game control board being fixedly positioned on the first member.”

Cole also fails to disclose “game control board fixedly positioned on said first member, ... said first member being completely detachable from said second member,” and “a lid ... engaging said first member thereby preventing said first member from being displaced with respect to said second member,” as recited in claim 1, and “[a] gaming machine” that includes, among other things, “an enclosure” that includes “displaceable and side members ..., said displaceable member being completely detachable from said side members,” and “a lid ... engaging said displaceable member thereby preventing said displaceable member from being displaced with respect to said side members,” as recited in claim 20.

Rather, Cole simply discloses that “the gaming controller 76 is located generally centrally within the housing 22 between the first and second sides 26, 28. When the display 70 is located in the top panel 40, as described above, the gaming controller 76 is located under the display 70 when the top panel 40 is in its closed position.” See paragraph [0065].

Hessie discloses a wall-mounted video game that includes a lock means 44 on the front panel, as shown in FIG. 3. Hessie discloses that “when the cabinet is locked, access is prevented to the back of the cabinet and it is not possible to remove the cabinet from the second panel 42 which is attached to the wall.” See paragraph [0028]. Hessie also discloses in FIG. 6 that electronics 50 are installed on the back panel 24 that is secured to a vertical wall.

Therefore, Hessie also fails to disclose “game control board fixedly positioned on said first member, ... said first member being completely detachable from said second member,” and “a lid ... engaging said first member thereby preventing said first member from being displaced with respect to said second member,” as recited in claim 1, and “[a] gaming machine” that includes, among other things, “an enclosure” that includes “displaceable and side members ..., said displaceable member being completely detachable from said side members,” and “a lid ... engaging said displaceable member thereby preventing said displaceable member from being displaced with respect to said side members,” as recited in claim 20.

Therefore, Diaz, Do, Cole, and Hessie, in combination, do not teach or suggest all elements of claims 1 and 20. Claims 1 and 20 are thus allowable for at least the reason set forth above. Dependent claims 2 – 6, 8, 9, 11 – 19, 23, and 24 are also patentable in view of Diaz, Do, Cole, and Hessie for at least the reasons set forth above with respect to claim 1, and claim 22 is also allowable for at least the reasons set forth above with respect to claim 20.

Applicants also object to the characterization of a computer as a gaming machine. See page 4, Action. Computers are not gaming machines. Nor does a gaming machine need to be computerized.

No new matter has been added.

### **Conclusion**

Applicant respectfully submits that all of claims 1 – 6, 8, 9, 11 – 20, and 22 – 24 are allowable. In the event that the Examiner believes a telephone interview with the undersigned Applicants' Representative would be helpful in advancing prosecution of this patent application, the undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

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